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July 25, 2018

**BY ECF**

Honorable Magistrate Judge Robert M. Levy  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Gary Valenti, Inc. v. Citibank, N.A.**  
**Civ. No.: 18-cv-01575 (FB) (RML)**

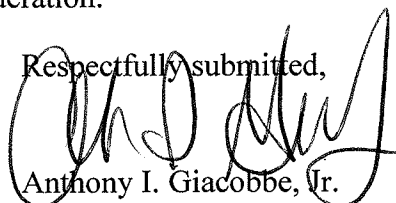
Dear Magistrate Judge Levy:

We are counsel to defendant Citibank, N.A. At an initial conference on June 27, 2018, this Court directed the parties to confer with their clients about their interest in attending a settlement conference. Following that conference, this Court entered a text order which provided, inter alia, that “[i]f the parties cannot agree, the court will decide whether to set a discovery schedule and/or summary judgment briefing scheduled [sic].”

After conferring with our client, we respectfully submit that Citibank remains of the view that the complaint is subject to dismissal by summary judgment in its entirety. While Citibank is always willing to consider settlement offers consistent with the merits of the claims, based upon the claims asserted here and discussions to date, Citibank does not believe court-assisted settlement negotiations will be productive at this time. Under the circumstances, Citibank respectfully requests that this Court set a briefing schedule for such a summary judgment motion.

Finally, as the undersigned will be away from July 26, 2018 through August 5, 2018, we respectfully request that the time to file a motion begin to run after August 6, 2018. Thank you for your consideration.

Respectfully submitted,



Anthony I. Giacobbe, Jr.

AIG:cla